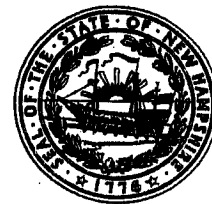




The State of New Hampshire
Department of Environmental Services
Water Council



PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Appeals Clerk Telephone (603) 271-6072 - TDD Access: Relay NH 1-800-735-2964
DES Website: www.des.nh.gov - Council Website: www.des.state.nh.us/councils/

September 27, 2005

David R. Putnam, Esq.
Gardner Fulton & Waugh PLLC
78 Bank Street
Lebanon, NH 03766-1727

Re: Docket No. 05-16 WC – Pollard Realty Trust Appeal

Dear Attorney Putnam:

The Notice of Appeal of the Department of Environmental Services Comprehensive Shoreland Protection Act waiver denial dated August 25, 2005 relative to Wetlands File #2005-1394, which you filed on behalf of Pollard Realty Trust, was received by my office on September 23, 2005. This appeal has been assigned Docket No. 05-16 WC. Please refer to this docket number in all future correspondence relative to this appeal. I have forwarded the notice of appeal NH Water Council ("the Council"), which I expect will decide to accept or dismiss the appeal at its next regular business meeting tentatively scheduled for October 12, 2005. This meeting is simply a regular Council business meeting, not a hearing; therefore your attendance is not required. If the Council accepts this appeal a Pre-hearing Conference will be scheduled and you will receive written notice of the same.

Please note that *any* document filed in conjunction with this appeal shall be filed by mailing or delivering the **original and 20 copies** of the document to the Council Appeals Clerk. Additionally, a copy of the document must be sent to all parties to the appeal and to any person who has a motion to intervene pending before the Council. Every document filed with the Council, and required to be served upon the parties to the appeal, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served. Documents filed with, or issued by the Council relative to this appeal are available for viewing and printing via the internet at www.des.state.nh.us/legal/documents/appeals/

If you have any questions, please contact me at (603) 271-6072 or by e-mail at msclafani@des.state.nh.us

Sincerely,

COPY
Michael P. Scalfani, Appeals Clerk
NH Water Council

cc: NH Water Council
Michael P. Nolin, Commissioner, DES
Harry T. Stewart, P.E., Director, DES Water Division
Darlene Forst, DES Water Division
Kerry D. Barnsley, DES Legal Unit
Jennifer J. Patterson, NH DOJ
DES Public Information Officer